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## **Summary of Watershed-Based Mitigation Subcommittee Meeting**

**September 23, 2003, 9:30 AM - 1:00 PM Natural Resources Bldg. Rm. 175A**

**Committee Co-Chairs: Peter Birch, WDFW; Richard Gersib, WSDOT**

### **Attendees:**

- Dept. of Ecology: Janice Sedlak, Stephen Bernath, Patty Betts
- Dept. of Fish and Wildlife: Peter Birch, Bob Zeigler
- Dept. of Transportation: Richard Gersib, Tim Hilliard, Barb Aberle, Virginia Stone
- Governor's Salmon Recovery Office: Phil Miller
- Corps of Engineers: Kate Stenberg
- Environmental Protection Agency: Elaine Somers (by phone)
- Association of Washington Cities: Ashley Probart
- Department of Natural Resources: Annie Szvetezc
- Northwest Indian Fisheries Commission: Darrell Phare
- Yakima Nation: Jeff Spencer
- Applied Hydrology NW: Rick Anderson

### **Introductions and Reviewed Agenda**

- The subcommittee welcomed the two tribal liaisons: Darrell Phare, Northwest Indian Fisheries Commission, and Jeff Spencer, Yakama Nation.
- Reviewed agenda, nothing was changed.

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## September TPEAC Meeting Update

- Archeological articles were found during construction of the Hood Canal Bridge Graving Dock. The project is tied up until the situation is assessed, which will take the project off schedule. This is so recent that it's uncertain how long the delay will be.
- Programmatic update: overwater structures programmatic is almost done. Drainage structures and three others are being worked on, which the subcommittee will do at tomorrow's meeting.
- Pilot/One-Stop update: three white papers were presented at the last TPEAC meeting on public comment, common data requirements, and information technology. Elizabeth Lanzer is developing resolutions for the November TPEAC meeting. The results from public comments could go into either or pilot project or used by the Multi-Agency Permitting Team (MAPT).
- There are a few pieces from white papers and recommendations that apply to the Watershed Subcommittee.
  - Emphasis on the pre-application process
  - Use of the interagency disciplinary team for review
  - Shari would like Dick to review chapter on mitigation
  - Unified Permit Procedure documentation and process
- The legislation was tabled until the next meeting.
- Linkages between section 6, ESA, and others are being addressed by a multi-agency permit team or "MAPT."
- MAPT is a spin off from TPEAC. The first one will be housed in Bellevue. Interviews are still going. It will officially begin in October.
- The Field trip included a visit to the I-5 Rush Rd. Project and a mitigation site visit. The stormwater issues caused by the lack of slope along I-5 were discussed.

## Policy Questions to discuss and decide

**In permitting transportation projects, what reduces predictability, certainty and environmental outcome?**

*Received to date:*

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1. Conflicting permit conditions and agency goals
  2. time needed to obtain permits
  3. insufficient advanced planning
  4. mitigation is planned too late in process
  5. too much mitigation planned in right of way
  6. lack of trust between agencies
  7. conflict of missions and requirements
  8. lack of compliance with manuals and permit conditions
  9. disjointed funding for highway projects and lack of documentation of avoidance and minimization
  10. insufficient funding for early planning work
- New ones added during the meeting*
11. wheel is reinvented every time
  12. local needs are ignored
  13. Site selection are not related to watershed health
  14. Lack of watershed planning before permitting

- Discussed comments on assignment. If we go ahead with policy development, we will have to deal with these issues.
- A subcommittee member suggested that Elaine Somers third paragraph comment should be captured. “Problems arise at permitting when project proponents make a beeline for compensation, without having adequately considered and implemented avoidance and minimization. A watershed or landscape level scale is the best place to perform the avoidance and minimization. It is also a useful scale for pursuing compensation.”
- Peter thanked everyone who provided comments.
- The issue will be mitigating within city boundaries and making sure MOU is signed with local governments.
- Remember that not all places are equal for mitigation opportunities.
- Should contain a set of sideboards to satisfy local requirements, legal requirements, and still allow the use of watershed tools. Need to be sure to distinguish protection from restoration.
- Need to have watershed planning before permitting. How do we get in front of projects? A subcommittee member is frustrated with sudden shift from long term planning to nickel project focus. There is no context set up for WSDOT to take advantage of mitigation opportunities.

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- A subcommittee member said so much has already been done in the past five to ten years. WSDOT is already moving forward with advance mitigation and the best available information is used. Policy needs to catch up.
  - 2496, 2514, and ESA are being better integrated in planning. Need to integrate watershed mitigation into WSDOT operating procedures. Need some kind of process to have appropriate information from planning readily available to better take advantage of mitigation opportunities.
  - Potential forums for this process include 405, MAPT, and the upcoming Phase III effort by Applied Hydrology NW (AHNW). This phase is scheduled to begin in mid-October.
  - Peter would like to put together a team to develop an annotated outline. AHNW upcoming effort can help put the policy pieces together. Need a pilot document to test out in two or three places, before moving to policy. Phil supports Rick's participation. It should dovetail with Phase III.
    - Phil can help with review and production, but can't be the main person pulling things together. Ecology will take lead role. Stephen will get ideas to Rick Anderson. Barb is willing to provide practical applications, but is unable to have a major role. Peter can help with conceptual ideas. Elaine and Patty can help as off-line reviewers and can bring in thinking from planning perspective. Wendy Compton-Ring's information should be used for this process.
    - The group will meet off line between subcommittee meetings and e-mails will be sent through Lynette to the entire subcommittee. Will begin focusing on the basics...What is the goal of mitigation policy? Eventually processes will be integrated into policy and protect environmental health.
  - At the next meeting, need to discuss mitigation options, policy options, and the integration of mitigation and policy.
  - Before the break, Annie announced this is her last meeting.

#### **Technical Team Update – Tim Hilliard**

- Data gathering is almost done. Still need a city Comprehensive Plan.
- Discussed adding benthic invertebrate biological index B-IBI information, which was suggested to be added by Jim Karr. Have obtained B-IBI information in the N Renton area from King County and other studies.

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- Draft reviews are available in PDF format for wetlands, riparian conditions, and other areas.
  - The team is working on characterization and has one more week to develop the preliminary list. Costs of mitigation will be compared between traditional vs. watershed mitigation.
  - Methods will include changes since the SR522 project. These changes should be an agenda item at the next watershed meeting.
  - A difference between the SR522 test case and the I-405 North Renton project is the number of local jurisdictions. With SR522, the only local jurisdiction was Snohomish County. With I-405, there is King County, City of Renton, City of Newcastle, City of Bellevue, and the Muckleshoot Tribe. Local coordination is more complex with more local governments involved.
  - Need to have WRIA 8 priorities and look at crossovers with I-405 mitigation needs. WRIA 8 doesn't have 2514 planning. The quality of available information varies from basin to basin.
  - There wasn't any information available on agricultural levees. LIDAR data were used to identify these levees. All data generated will go back to local governments. The technical team will synthesize information that hasn't been done before.

#### **Next Steps of the SSHIAP/HPA Project – Rick Anderson**

- Need to make revisions today to finalize product. The workplan will be submitted today.
- Phase 3 will begin in mid-October.
- The results were presented at the last TPEAC meeting, and Sen. Swecker was enthusiastic.
- Rick discussed Phases 1 and 2, which are described in detail in previous meeting highlights.
- Sec. MacDonald is very supportive of watershed mitigation. At an Environmental Joint meeting, Governor Locke was supportive of the transportation mitigation direction.
- AHNW is working with Jerry Alb to see how WDFW fits in. A roadmap will be developed to show what needs to happen within and between agencies.

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- Phase 3 will focus on the US 12 project from Wallula Gap to Walla Walla (US 12 project phase IV). This widening project will increase the number of lanes from 2 to 4 along approximately 25 miles. The environmental concern is in one spot. Stephen mentioned that a watershed analysis has already been done on the Touchet River. Rick said that Watershed work will be used with this phase to link public works, mitigation, and ESA planning. Skagit is a demonstration project. Rick mentioned that Sec. MacDonald would like team to provide technical assistance to integrate watershed into process.
  - At the next Salmon Recovery Funding Board (SRFB) Meeting on October 29, the relationship between TPEAC and SRFB will be discussed, focusing on watershed. Phil can talk about this at the next meeting.

### **Next Meeting**

- October 28, WSDOT HQ Lg. Commission Board Room